

Appl. Serial No. 10/604,073
Atty Dckt No. LNRT-27,975US
AMENDMENT AND RESPONSE

REMARKS

Applicant has carefully reviewed the above-noted Office Action, and herein amends the present Application. Reconsideration and favorable action is respectfully requested.

Applicant has amended pending Claims 1-7 and 9-10 to overcome the Examiners objections and rejections to these claims under 35 U.S.C. §112 set forth in the Office Action. Applicant respectfully submits that such amendments made to the claims to overcome the 35 U.S.C. §112 rejections were made for matters of form, and not to distinguish such claims over the prior art of record. For example, Claim 1 was amended to further define the liquid disposed in the liquid region as a mass of the liquid defining a piston to obviate the Examiner's rejection based on the claims not including sufficient structure for apparatus claims, for which Applicant respectfully submits would be understood by one skilled in such art. Applicant requests reconsideration of Claims 1-10, and withdrawal of the objections to and the rejections of such claims under 35 U.S.C. §112.

Applicant respectfully traverses the objection to Claim 10 under 35 U.S.C. §112 based on the second occurrence of the term "slurry section" in Claim 10, in line 3, as not having proper antecedent basis. The term "slurry section" was introduced in line 1 of Claim 10 prior to entry of the present Amendment, and appears in line 2 of Claim 10, as amended. Applicant requests withdrawal of the rejection of Claim 10 under 35 U.S.C. §112.

Applicant respectfully traverses rejection of Claims 1-8 and 10 under 35 U.S.C. §103(a). The cited prior art of record does not disclose the evaporation system of Claim 1, which sets forth structure regarding an enclosure having a mass of liquid in a liquid region which is defined to control evaporation of an inlet feed in an evaporation region and condensation of the liquid in a condensation region of such enclosure. Applicant respectfully submits for the Examiner's consideration that such a mass of liquid in a liquid region for controlling evaporation in an evaporation region is neither taught nor disclosed by the cited prior art of record. Further, since Claims 2-8 and 10 depend on Claim 1, and incorporate the limitations of Claim 1 therein, Claims

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2-8 and 10 are allowable over the prior art of record. Applicant requests reconsideration and withdrawal of the rejection of Claims 1 under 35 U.S.C. §103(a).

Applicant respectfully traverses the rejection of Claim 9 under 35 U.S.C. §103(a). Applicant notes that Claim 9 incorporates the limitations of Claim 1, including the limitations directed toward the structure of an enclosure having a mass of liquid in a liquid region which is defined to control evaporation of an inlet feed in an evaporation region and condensation of the liquid in a condensation region of such enclosure. Applicant respectfully submits for the Examiner's consideration that these features are neither taught nor disclosed by the cited prior art references, and are incorporated into Claim 9 by reference. Applicant requests reconsideration of and withdrawal of the rejection of Claim 9 under 35 U.S.C. §103(a).

New Claims 11-14 were added to further define the invention, setting forth method steps for operating an evaporation system according to the present invention. Applicant respectfully submits for the Examiner's consideration that Claims 11-14 are sufficiently related to pending Claims 1-10 that such claims should be considered with the pending claims in the present application. Entry and consideration of Claims 11-14 in the present application are requested.

Applicant requests a telephone interview with the Examiner should the Examiner not find the present application in condition for allowance, and requests that the Examiner contact Applicant's attorney listed below to arrange an appropriate time to discuss any substantive issues pending in the Application after entry and consideration of this Amendment.


Applicant has now made an earnest attempt to place the application in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended and that the Application proceed to issuance.

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The U.S. Patent & Trademark Office is hereby authorized to charge any fees due or credit any overpayments to Deposit Account No. 502112/LNRT-27,975US for the firm CHAUZA & HANDLEY, L.L.P.

Respectfully submitted,

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July 28, 2005